



Department of Toxic Substances Control



Winston H. Hickox
Agency Secretary
California Environmental
Protection Agency

Edwin F. Lowry, Director
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

Gray Davis
Governor

MEMORANDUM

FROM: Andrew Berna-Hicks
Project Manager

TO: File (United Technologies Corporation, San Jose, CA)

DATE: October 21, 2003

SUBJECT: **CHANGES MADE SUBSEQUENT TO THE PUBLIC NOTICE
PERIOD FROM THE DRAFT TO FINAL DOCUMENTS:
MODIFIED PERMIT, CEQA NEGATIVE DECLARATION, and
PART AB@ PERMIT APPLICATION (OPERATION PLAN)**

All changes listed below are clarifications of existing regulations and procedures or corrections of typographical errors. Since these changes do not expand United Technologies waste handling activities or capabilities, a renoticing of the modified permit is not required.

I. CHANGES FROM THE DRAFT TO THE FINAL MODIFIED PERMIT:

1. Part IV - Unit #3 - Special Condition #2. This addition to the permit is a requirement to continue the current practice by United Technologies Corporation of managing all effluent from the Hydrolysis Treatment Unit as hazardous waste.

The following special condition was added:

AAll effluent from the Hydrolysis Treatment Unit shall be stored, treated, and/or disposed of as hazardous waste regardless of the concentration of contaminants in the effluent.@

2. Part V - Special Condition #2. This condition comes directly from California Code of Regulations and is common to all facilities which are authorized by a Hazardous Waste Facility Permit.

The following special condition was added:

ASpills, including solutions containing any concentration of perchlorate, shall be reported to DTSC per the following:

a. Immediate Reporting

The Emergency Coordinator shall report any imminent or actual emergency situation (circumstances that may endanger human health or the environment) to the California Office of Emergency Services (800) 852-7550 and any other State or local agencies designated in the Contingency Plan, immediately upon becoming aware of the incident. (Cal. Code Regs., section 66264.56 (a)(2))

b. Twenty-Four Hour Oral Reporting

The Permittee shall report orally to the DTSC/Standardized Permitting and Corrective Action Branch (SPCAB) Chief, within 24 hours from the time the Permittee becomes aware of the non-compliance, any noncompliance with the Permit which may endanger health or the environment as specified in title 22, Cal. Code Regs., section 66270.30 (l)(6). If the incident occurs on a weekend or holiday, the report shall be made on the first day DTSC offices are open. This oral report shall be made to the DTSC Berkeley office. The report shall include the following:

1. Information concerning the release of any hazardous substance which may cause an endangerment to public drinking water supplies.
2. Information concerning the release or discharge of any hazardous substance, or of a fire or explosion from the facility which could threaten the environment or human health outside the facility.

The description of the occurrence and its cause shall include:

- i. Name, address, and telephone number of the Permittee;
- ii. Name, address, and telephone number of the facility;
- iii. Date, time, and type of incident;

- iv. Name and quantity of materials involved;
- v. The extent of injuries, if any;
- vi. An assessment of actual or potential hazard to the environment and human health outside the facility, where this is applicable; and
- vii. Estimated quantity and disposition of recovered material that resulted from the incident.

c. Five Day Written Submissions

A written submission shall also be provided describing any noncompliance which may endanger health or the environment within five (5) days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the periods of noncompliance (including exact dates and times); whether the noncompliance has been corrected; and, if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Permittee need not comply with the five day written notice requirement if the SPCAB Chief waives the requirement and the Permittee submits a written report within fifteen days of the time the Permittee becomes aware of the circumstances.(Cal. Code Regs., section 66270.30(l)(6)(c))

d. Fifteen Day Written Reports Following Implementation of the Contingency Plan

Within 15 days after any incident that requires implementing the contingency plan, the Permittee shall submit a written report to SPCAB Chief. The report shall contain, at a minimum, the information listed in Cal. Code Regs, section 66264.56(j).

e. Thirty Day Written Report Requirement Following Releases From Tanks

Within thirty days of detection of a release to the environment from a tank as required by Cal. Code Regs, section 264.196 (b)(5)(B), a report containing the following information must be submitted to the SPCAB Chief (Cal. Code

Regs, section 66264.196(b)(5)(C):

1. Likely route of migration of the release;
2. Characteristics of the surrounding soil (soil composition, geology, hydrogeology, climate);
3. Results of any monitoring or sampling conducted in connection with the release (if available). If sampling or monitoring data relating to the release are not available within 30 days, these data must be submitted to the SPCAB Chief as soon as they become available.
4. Proximity to downgradient drinking water, surface water, and populated areas; and
5. Description of response actions taken or planned.

All reports, notifications, or other submissions which are required by this Permit to be sent or given to the SPCAB Chief shall be telephoned, faxed, delivered, or sent by certified mail (as is required) to:

Chief, Standardized Permitting and Corrective Action Branch
Department of Toxic Substances Control
700 Heinz Ave., Suite 200
Berkeley, CA 94710
fax: (510) 540-3937
telephone: (current project manager)@

II. CHANGES TO THE CEQA NEGATIVE DECLARATION

There were no changes to the negative declaration for this project.

III. CHANGES THE PART B PERMIT APPLICATION (OPERATION PLAN)

1. Page 6-8, Section 6.2.1, AATF@ was changed to AATP@. This minor correction was made as a result of a typographical error.
2. Page 7-18, Section 7.2, fourth paragraph, Aexists@ was changed to Aexits@. This minor correction was made as a result of a typographical error.

3. Page 7-22, Section 7.2.4, ~~Awired~~ was changed to ~~Awire~~. This minor correction was made as a result of a typographical error.
4. Page 14-5, Section 14.6.3 was modified to indicated that ~~A~~basic detergent material used in conjunction with a high pressure water stream will be utilized for decon procedures.~~@~~ This change specifies procedures to ensure proper decontamination of hazardous waste facilities.
5. Page 14-6, Section 14.6.3, was modified to indicate that ~~A~~rinse waters must be non-detect for contaminants of concern, including perchlorates, in order for the unit to be considered ~~>clean~~~~@~~. This change specifies procedures to ensure proper decontamination of hazardous waste facilities.
6. Page 14-8, Section 14.8 was changed to indicate that the expected year of closure is 2037, rather than 2036. This minor change was made to reflect a more accurate prediction of the closure date.
7. Page 14-8, Section 14.10 had the word ~~Acauserie~~~~@~~ removed. This minor change was made as a result of a typographical error.